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January 7, 2010

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Craig Whitenack, Civil Investigator
United States Environmental Protection Agency
Region IX, Southern California Field Office
600 Wilshire Avenue, Suite 1420
Los Angeles, California 90017

File No. 501761-0011

Re: Yosemite Creek Superfund Site, San Francisco, CA: Response to 104(e)
Information Request

Dear Mr. Whitenack:

This letter responds to the October 15, 2009 request for information ("RFI") of the United States Environmental Protection Agency ("EPA") to Sequa Corporation (for the generator General Printing Ink) ("Sequa") with regard to the Yosemite Creek Superfund Site (the "Site"). Sequa submits this response in accordance with the January 11, 2010 due date that EPA established for this response (pursuant to the extension EPA granted to the Bay Area Drum *Ad Hoc* PRP Group).

General Printing Ink is a former division of Sequa (formerly Sun Chemical Corporation). On December 31, 1986, Sequa sold the assets of its ink business to DIC Americas, Inc. All employees familiar with General Printing Ink's waste handling practices from 1948 through 1988 (the "Relevant Time Period") remained with the entity sold and all documents were transferred to the new owner. However, subject to both the general and specific objections noted, and without waiving these or other available objections or privileges, Sequa submits the enclosed response to the RFI. This response is made to the best of Sequa's knowledge, information and belief, and is subject to amendment if and as additional information becomes available to Sequa.

As an initial matter, it should be noted that the RFI purports to seek a great deal of information that is not relevant to the Site or alleged contamination at the Site. For example, while we understand the basis of the purported connection between General Printing Ink and the former Bay Area Drum State Superfund Site at 1212 Thomas Avenue in San Francisco, California (the "BAD Site"), certain RFI questions seek information regarding facilities other than the BAD Site, including *all* facilities in California and *all* facilities outside California that

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shipped drums or other containers to *any* location in the entire state of California. These other facilities throughout California and the United States have no nexus to the Site. Because such questions are not relevant to the Site, they are beyond the scope of EPA's authority as set forth in Section 104(e)(2)(A) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") (stating that EPA may request information "relevant to . . . [t]he identification, nature, and quantity of materials which have been . . . transported to a . . . facility").

Moreover, as you know, the California Department of Toxic Substances Control ("DTSC") conducted an extensive investigation of the BAD Site and General Printing Ink's operations in connection with it. DTSC's investigation included an information request to Sun Chemical Corporation (now Sequa) and the DTSC files include Sequa's Response to DTSC's information request, among other documents. We understand that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

Finally, please let us know if you have any questions regarding this response. I can be reached via telephone at (415) 395-8096 or email at holly.tate@lw.com.

Sincerely,



Holly J. Tate
of LATHAM & WATKINS LLP

Enclosure

Cc: Gary P. Gengel, Esq.
Steven Lowson, Esq.

RESPONSE OF SEQUA CORPORATION TO EPA'S OCTOBER 15, 2009 SECTION 104(e) INFORMATION REQUEST FOR THE YOSEMITE CREEK SUPERFUND SITE

GENERAL OBJECTIONS

Sequa Corporation (for the generator General Printing Ink) ("Sequa") asserts the following general privileges, protections and objections with respect to the October 15, 2009 request for information ("RFI") and each information request therein.

1. Sequa asserts all privileges and protections it has in regard to the documents and other information sought by the United States Environmental Protection Agency ("EPA"), including the attorney-client privilege, the attorney work product doctrine, all privileges and protections related to materials generated in anticipation of litigation, the settlement communication protection, the confidential business information ("CBI") and trade secret protections, and any other privilege or protection available to it under law. In the event that a privileged or protected document is ever inadvertently included among documents produced in response to the RFI, Sequa asks that any such document be returned to Sequa immediately and here states for the record that it is not thereby waiving any available privilege or protection as to any such document.
2. In the event that a document containing CBI or trade secrets is ever inadvertently included among the documents provided in response to the RFI, Sequa asks that any such documents be returned to Sequa immediately so that Sequa may resubmit the document in accordance with the applicable requirements for the submission of Confidential Information.
3. Sequa objects to any requirement to produce documents or information already in the possession of a government agency, including but not limited to the California Department of Toxic Substances Control ("DTSC"), or already in the public domain. As noted in the attached cover letter, DTSC conducted an extensive investigation of the former Bay Area Drum State Superfund Site at 1212 Thomas Avenue in San Francisco, California ("BAD Site") and General Printing Ink's operations in connection with it. DTSC's investigation included an information request to Sun Chemical Corporation (now Sequa) and the DTSC files include Sequa's response to DTSC's information request. EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA. Notwithstanding this objection, and without waiving it, Sequa may produce certain information or documents in its possession, custody, or control that it previously provided to or obtained from government agencies that contain information responsive to the RFI.
4. Sequa objects to Instruction 5 on the ground that EPA has no authority to impose a continuing obligation on Sequa to supplement these responses. Sequa will, of course, comply with any lawful future requests that are within EPA's authority.
5. Sequa objects to Instruction 6 in that it purports to require Sequa to seek and collect information and documents in the possession, custody or control of individuals not within the custody or control of Sequa. EPA lacks the authority to require Sequa to seek information not in its possession, custody or control.

6. Sequa objects to the RFI's definition of "document" or "documents" in Definition 3 to the extent it extends to documents not in Sequa's possession, custody, or control. Sequa disclaims any responsibility to search for, locate, and provide EPA copies of any documents "known by [Sequa] to exist" but not in Sequa's possession, custody, or control.

7. Sequa objects to the RFI's definition of "Facility" or "Facilities" in Definition 4 because the terms are overbroad to the extent that they extend to facilities with no connection to either the Yosemite Creek Superfund Site ("Site") or the BAD Site. Moreover, the term "Facilities" as defined in the RFI is confusing and unintelligible as the term is defined as having separate meanings in Definition 4 and Request No. 3.

8. Sequa objects to the definition of "identify" in Definition 7 to the extent that the definition encompasses home addresses of natural persons.

9. Sequa objects to the definition of "you," "Respondent," "the company," "your", and "your company" in Definition 14 because the terms are overbroad and it is not possible for Sequa to answer questions on behalf of all the persons and entities identified therein. Notwithstanding this objection, and without waiving it, Sequa has undertaken a diligent and good faith effort to locate and furnish documents and information in its possession, custody, and control that are responsive to the RFI.

10. Sequa objects to EPA's requests that Sequa provide EPA separately information that is contained in documents being furnished by Sequa in response to the RFI. Where documents have been provided in connection with a response, information sought by EPA in the corresponding request for information that is set forth in those documents is not furnished separately. To do otherwise would be unduly burdensome.

RESPONSES TO OCTOBER 15, 2009 EPA INFORMATION REQUESTS

QUESTION 1: *Describe generally the nature of the business conducted by Respondent and identify the products manufactured, formulated, or prepared by Respondent throughout its history of operations.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Identifying each of the products manufactured by General Printing Ink "throughout its history of operations" is not feasible due to the scope of the products produced and because, as noted above, Sequa sold General Printing Ink to DIC Americas, Inc., on December 31, 1986.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information:

General Printing Ink produced flexographic (solvent) inks, metal deco, web offset, heatset and sheet fed and corrugated inks and ink black (newspaper ink).

QUESTION 2: *Provide the name (or other identifier) and address of any facilities where Respondent carried out operations between 1940 and 1988 (the "Relevant Time Period") and that:*

- a. *ever shipped drums or other containers to the BAD Site for recycling, cleaning, reuse, disposal, or sale.*
- b. *are/were located in California (excluding locations where ONLY clerical/office work was performed).*
- c. *are/were located outside of California and shipped any drums or other containers to California for recycling, cleaning, reuse, disposal, or sale (for drums and containers that were shipped to California for sale, include in your response only transactions where the drums and containers themselves were an object of the sale, not transactions where the sole object of the sale was useful product contained in a drum or other container).*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, in addition to facilities with a connection to the BAD Site, Question 2 purports to also seek information regarding *any* facility located in California (excluding locations where ONLY clerical/office work was performed) and *any* facility located outside of California that shipped drums or other containers to *any* location in California, even to locations other than the BAD Site. These other facilities have no nexus with the BAD Site, and thus this request seeks information that is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information related to General Printing Ink's Facilities that may have shipped drums or other containers to the BAD Site.

General Printing Ink operated a plant at 20-40 South Linden Avenue in South San Francisco, California from approximately 1927 to 1978 ("South San Francisco facility"). General Printing Ink moved its operations from the South San Francisco facility to 14300 Catalina Street in San Leandro, California in 1978. No records remain relating to the handling or reconditioning of drums used at the South San Francisco facility; however, on information and belief, steel drums from the plant were sent offsite for reconditioning. One or more of the companies that operated at the BAD Site may have been used by the South San Francisco facility prior to its closing in 1978.

Generally, the empty drums that General Printing Ink sent for reconditioning were the drums in which raw material printing inks purchased by General Printing Ink were packaged. Sequa, however, has no information as to the nature or the quantity of the drums which may have been sent offsite for reconditioning during the relevant time period. Sequa is unable to provide

any other details about the reconditioning of drums from its South San Francisco facility, or any other of its facilities.

QUESTION 3: *Provide a brief description of the nature of Respondent's operations at each Facility identified in your response to Question 2 (the "Facilities") including:*

- a. *the date such operations commenced and concluded; and*
- b. *the types of work performed at each location over time, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. In particular, but without limiting the generality of the foregoing objection, Sequa objects to the request in (b.) that it describe "types of work performed at each location over time" Without an identification by EPA of the types of work it is referring to, it would be virtually impossible, given the broad nature of possible work at various facilities, to describe each and every type of work that was performed at any facility. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information.

General Printing Ink operated a plant at 20-40 South Linden Avenue in South San Francisco, California from approximately 1927 to 1978 ("South San Francisco facility"). General Printing Ink moved its operations from the South San Francisco facility to 14300 Catalina Street in San Leandro, California in 1978. The South San Francisco facility produced flexographic (solvent) inks, metal deco, web offset, heatset and sheet fed and corrugated inks and ink black (newspaper ink).

QUESTION 4: *For each Facility, describe the types of records regarding the storage, production, purchasing, and use of Substances of Interest ("SOI") during the Relevant Time Period that still exist and the periods of time covered by each type of record.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome to the extent it seeks to require Sequa to describe "types of records." Documents provided in response to this RFI are not also "identified" by describing their contents. Sequa further objects to Question 4 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus Sequa has limited its search for information to the COCs identified by EPA.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information:

Since its sale of General Printing Ink to DIC Americas, Inc. on December 31, 1986, Sequa has not had possession of any records regarding General Printing Ink's storage, production, purchasing, and use of SOI during the Relevant Time Period. As such, Sequa has no knowledge regarding the types of records that still exist regarding these activities of General Printing Ink.

QUESTION 5: *Did Respondent ever (not just during the Relevant Time Period) produce, purchase, use, or store one of the COCs (including any substances or wastes containing the COCs) at any of the Facilities? State the factual basis for your response.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. By removing any temporal limit and any nexus between COCs at General Printing Ink's Facilities and the BAD Site, Question 5 purports to seek information relating to General Printing Ink's Facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 6: *If the answer to Question 5 is yes, identify each COC produced, purchased, used, or stored at each Facility.*

RESPONSE:

See response to Question 2.

QUESTION 7: *If the answer to Question 5 is yes, identify the time period during which each COC was produced, purchased, used, or stored at each Facility.*

RESPONSE:

See response to Question 2.

QUESTION 8: *If the answer to Question 5 is yes, identify the average annual quantity of each COC produced, purchased, used, or stored at each Facility.*

RESPONSE:

See response to Question 2.

QUESTION 9: *If the answer to Question 5 is yes, identify the volume of each COC disposed by the Facility annually and describe the method and location of disposal.*

RESPONSE:

See response to Question 2.

QUESTION 10: *Did Respondent ever (not just during the Relevant Time Period) produce, purchase, use, or store hydraulic oil or transformer oil at any of the Facilities? State the factual basis for your response to this question.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. By removing any temporal limit and any nexus between hydraulic fuel or transformer oil at General Printing Ink's Facilities and the BAD Site, Question 10 purports to seek information relating to General Printing Ink's Facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 11: *If the answer to Question 10 is yes, identify each specific type of hydraulic oil and transformer oil produced, purchased, used, or stored at each Facility.*

RESPONSE:

See response to Question 2.

QUESTION 12: *If the answer to Question 10 is yes, identify the time period during which each type of hydraulic oil and transformer oil was produced, purchased, used, or stored.*

RESPONSE:

See response to Question 2.

QUESTION 13: *If the answer to Question 10 is yes, identify the average annual quantity of each type hydraulic oil and transformer oil purchased, produced, used, or stored at each Facility.*

RESPONSE:

See response to Question 2.

QUESTION 14: *If the answer to Question 10 is yes, identify the volume of each hydraulic oil and transformer oil disposed by the Facility annually and describe the method and location of disposal.*

RESPONSE:

See response to Question 2.

QUESTION 15: *Provide the following information for each SOI (SOIs include any substance or waste containing the SOI) identified in your responses to Questions 5 and 10:*

- a. Describe briefly the purpose for which each SOI was used at the Facility. If there was more than one use, describe each use and the time period for each use;*
- b. Identify the supplier(s) of the SOIs and the time period during which they supplied the SOIs, and provide copies of all contracts, service orders, shipping manifests, invoices, receipts, canceled checks and other documents pertaining to the procurement of the SOI;*
- c. State whether the SOIs were delivered to the Facility in bulk or in closed containers, and describe any changes in the method of delivery over time;*
- d. Describe how, where, when, and by whom the containers used to store the SOIs (or in which the SOIs were purchased) were cleaned, removed from the Facility, and/or disposed of, and describe any changes in cleaning, removal, or disposal practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Question 15 purports to seek information relating to General Printing Ink's Facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 16: *For each SOI delivered to the Facilities in closed containers, describe the containers, including but not limited to:*

- a. the type of container (e.g. 55 gal. drum, tote, etc.);*
- b. whether the containers were new or used; and*
- c. if the containers were used, a description of the prior use of the container.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Question 16 purports to seek information relating to General Printing Ink's Facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 17: *For each container that Respondent used to store a SOI or in which SOIs were purchased ("Substance-Holding Containers" or "SHCs") that was later removed from the Facility, provide a complete description of where the SHCs were sent and the circumstances under which the SHCs were removed from the Facility. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Sequa further objects to Question 17 as it assumes that each SHC is somehow individually identified, tracked, and used and reused by the same entity throughout the life of the SHC. There is no evidence that the BAD Site operated in this manner or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Question 17 purports to seek information that does not exist.

Sequa further objects to Question 17 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site.

Additionally, as stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Question 17 purports to seek information regarding SHCs that were sent to sites other than the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 18: *For each SHC that was removed from the Facility, describe Respondent's contracts, agreements, or other arrangements under which SHCs were removed from the Facility, and identify all parties to each contract, agreement, or other arrangement described. Distinguish between the Relevant Time Period and the time period since 1988.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Question 18 purports to seek information regarding SHCs that were sent to sites other than the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 19: *For each SHC, provide a complete explanation regarding the ownership of the SHC prior to delivery, while onsite, and after it was removed from the Facility. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Sequa further objects to Question 19 as it assumes that each SHC is somehow individually identified, tracked, and used and reused by the same entity throughout the life of the SHC. There is no evidence that the BAD Site operated in this manner or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Question 19 purports to seek information that does not exist. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Question 19 purports to seek information regarding SHCs that were sent to sites other than the BAD Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 20: *Identify all individuals who currently have, and those who have had, responsibility for procurement of Materials at the Facilities. Also provide each individual's job title, duties, dates performing those duties, current position or the date of the individual's resignation, and the nature of the information possessed by each individual concerning Respondent's procurement of Materials.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Question 20 purports to seek information relating to General Printing Ink's Facilities that is not relevant to contamination at the Site. Sequa further objects to Question 20 as it purports to seek information regarding procurement of "Materials" at facilities other than the BAD Site and thus goes beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 21: *Describe how each type of waste containing any SOIs was collected and stored at the Facilities prior to disposal/recycling/sale/transport, including:*

- a. *the type of container in which each type of waste was placed/stored;*

- b. *how frequently each type of waste was removed from the Facility; Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Question 21 purports to seek information regarding collection and storage of "any SOIs" at facilities other than the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 22: *Describe the containers used to remove each type of waste containing any SOIs from the Facilities, including but not limited to:*

- a. *the type of container (e.g. 55 gal. drum, dumpster, etc.);*
- b. *the colors of the containers;*
- c. *any distinctive stripes or other markings on those containers;*
- d. *any labels or writing on those containers (including the content of those labels);*
- e. *whether those containers were new or used; and*
- f. *if those containers were used, a description of the prior use of the container;*

Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Sequa further objects to Question 22 as it assumes that each SHC is somehow individually identified, tracked, and used and reused by the same entity throughout the life of the SHC. There is no evidence that the BAD Site operated in this manner or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Question 22 purports to seek information that does not exist.

As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." Moreover, the RFI defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, DDT, chlordane, dieldrin, and PCBs." Sequa further objects to Question 22 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus, Sequa has limited its search for information to the COCs identified by EPA. Additionally, Sequa objects to Question 22 as it purports to seek information regarding containers used to remove each type of waste containing any SOIs from the Facilities and taken to *any* other place during *any* time. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 23: *For each type of waste generated at the Facilities that contained any of the SOIs, describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling and identify all parties to each contract, agreement, or other arrangement described. State the ownership of waste containers as specified under each contract, agreement, or other arrangement described and the ultimate destination or use for such containers. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." Moreover, the RFI defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, DDT, chlordane, dieldrin, and PCBs." Sequa further objects to Question 23 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus, Sequa has limited its search for information to the COCs identified by EPA. Additionally, Sequa objects to Question 23 as it purports to seek information regarding waste generated at any Facilities that contained any SOIs and taken to *any* other place during *any* time. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 24: *Identify all individuals who currently have, and those who have had, responsibility for Respondent's environmental matters (including responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes and SHCs). Provide the job title, duties, dates performing those duties, supervisors for those duties, current position or the date of*

the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Identifying all individuals who currently have, and those who have had, responsibility for environmental matters at all of General Printing Ink's Facilities, including those that have no nexus to the BAD Site, is not feasible because, due to the sale of General Printing Ink to DIC Americas, Inc. on December 31, 1986, no records remain regarding any such individuals.

QUESTION 25: *Did Respondent ever purchase drums or other containers from a drum recycler or drum reconditioner? If yes, identify the entities or individuals from which Respondent acquired such drums or containers.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Identifying all drum recyclers or drum reconditioners from which General Printing Ink ever acquired drums or containers is not feasible because, due to the sale of General Printing Ink to DIC Americas, Inc. on December 31, 1986, no records remain regarding any such purchases.

QUESTION 26: *Prior to 1988, did Respondent always keep its waste streams that contained SOIs separate from its other waste streams?*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Sequa further objects to Question 26 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus, Sequa has limited its search for information to the COCs identified by EPA.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 27: *Identify all removal and remedial actions conducted pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq., or comparable state law; all corrective actions conducted pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq.; and all cleanups conducted pursuant to the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq. where (a) one of the COCs was addressed by the cleanup and (b) at which Respondent paid a portion of cleanup costs or performed work. Provide copies of all correspondence between Respondent and any federal or state government agency that (a) identifies a COC and (b) is related to one of the above-mentioned sites.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the RFI, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Question 27 purports to seek information regarding a broad range of removal and remedial actions, corrective actions and cleanups. Moreover, identifying all such removal and remedial actions is not feasible because, due to the sale of General Printing Ink to DIC Americas, Inc. on December 31, 1986, no records remain regarding any such removal and remedial actions and cleanups. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site. Sequa further objects to Question 27 to the extent that EPA is already in possession of the requested documents, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

QUESTION 28: *Provide all records of communication between Respondent and Bay Area Drum Company, Inc.; Meyers Drum Company; A.W. Sorich Bucket and Drum Company; Waymire Drum Company, Inc.; Waymire Drum and Barrel Company, Inc.; Bedini Barrels Inc.; Bedini Steel Drum Corp.; Bedini Drum; or any other person or entity that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. DTSC conducted an extensive investigation of the BAD Site and General Printing Ink's operations in connection with it. DTSC's files include extensive records concerning the Bay Area Drum Company, Inc. and other persons and entities that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California. Sequa understands that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA. Moreover, providing all such records is not feasible because, due to the sale of General Printing Ink to DIC Americas, Inc. on December 31, 1986, no records of communication with any of these entities remain.

QUESTION 29: *Identify the time periods regarding which Respondent does not have any records regarding the SOIs that were produced, purchased, used, or stored at the Facilities.*

RESPONSE:

In addition to the General Objections set forth above, Sequa objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. In responding to the RFI, Sequa has undertaken a diligent and good faith search for information in its possession, custody or control and that is relevant to this matter. Moreover, Sequa understands that EPA is already in possession of DTSC's files regarding the BAD Site. Sequa is under no further obligation to identify time periods to which these documents do not pertain. Moreover, providing all such records is not feasible because, due to the sale of General Printing

Ink to DIC Americas, Inc. on December 31, 1986, Sequa does not have the records from which to respond to this question.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2.

QUESTION 30: *Provide copies of all documents containing information responsive to the previous twenty-nine questions and identify the questions to which each document is responsive.*

RESPONSE:

Sequa objects to Question 30 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus, Sequa has limited its search for information to the COCs identified by EPA. Sequa further objects to Question 30 as it purports to seek copies of documents containing information responsive to the previous twenty-nine questions. DTSC conducted an extensive investigation of the BAD Site and General Printing Ink's operations in connection with it. DTSC's investigation included an information request to Sun Chemical Corporation (now Sequa) and the DTSC files include Sequa's Response to DTSC's information request, among other documents. We understand that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

Notwithstanding the foregoing, and without any waiver of its objections, Sequa provides the following information: See response to Question 2. In addition, see Sequa's October 29, 1992 response to the DTSC's request for information regarding the BAD Site, which is attached hereto.

Sequa Corporation

Three University Plaza
Hackensack, New Jersey 07601
201 343-1122
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Leonard P. Pasculli
Director,
Environmental Law

SEQUA

DEPARTMENT OF TOXIC
SUBSTANCES CONTROL
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VIA OVERNIGHT

October 29, 1992

Monica Gan
California Environmental Protection Agency
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2737

Re: Bay Area Drum Site, 1212 Thomas Avenue, San Francisco, CA

Dear Ms. Gan:

Sequa Corporation has received a copy of the Agency's letter dated September 1, 1992 requesting information in connection with the above-referenced Site. Sequa Corporation responds on behalf of General Printing Ink, division of Sun Chemical Corporation, to whom your letter was addressed.

Sun Chemical Corporation (now Sequa Corporation) sold the assets of its ink business to DIC Americas, Inc. on December 31, 1986. All employees familiar with General Printing Ink's waste handling practices from 1948 through 1987 (the "relevant time period") remained with the entity sold. However, from the limited reports and resources available to us, Sequa Corporation submits the following response to your letter. This response is made to the best of Sequa's knowledge, information and belief at this time and is subject to amendment if and as additional information becomes available to Sequa.

General Printing Ink operated a plant at 20-40 South Linden Avenue in San Francisco from approximately 1927 to 1978. General Printing Ink moved its operations from the South San Francisco facility to 14300 Catalina Street in San Leandro in 1978. The South San Francisco facility produced flexographic (solvent) inks, metal deco, web offset, heatset and sheet fed and corrugated inks and ink black (newspaper ink).

No records remain relating to the handling or reconditioning of drums used at the South San Francisco facility; however, on information and belief, steel drums from the plant were sent offsite for reconditioning. One or more of the companies listed in your request for information letter may have been used by the South San Francisco facility prior to its closing in 1978.

Sequa Corporation

Monica Gan
October 29, 1992
Page two

DEPARTMENT OF TOXIC
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It is impossible for Sequa to respond to the specific questions raised in your letter. Generally, the empty drums that General Printing Inc. sent for reconditioning were the drums in which raw material printing inks purchased by General Printing Ink were packaged. However, this respondent has no information as to the nature or the quantity of the drums which may have been sent offsite for reconditioning during the relevant time period.

Your sending Sun a request for information letter suggests that your Agency has some reason to believe that Sun may have had a possible connection to this Site. If you have specific information to that effect, please provide whatever documents you have, pursuant to the provisions of the Freedom of Information Act, and we will investigate this matter further.

You may correspond to me directly at the address above, and not to the address that appeared on your request letter.

Yours truly,



Leonard P. Pasculli, Esq.
Director, Environmental Law

LPP.170